

Dr. Orly Taitz, ESQ

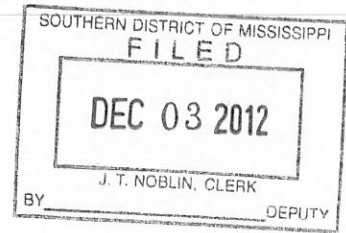
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PRO SE PLAINTIFF IN MS



IN THE US DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

Dr. Orly Taitz, ESQ et al) CASE 12-CV-280
v) HON. HENRY WINGATE
Democratic Party of Mississippi et al) PRESIDING

**OPPOSITION TO MOTION BY LEAH LAX TO SANCTION TAITZ AND MOTION BY
TAITZ TO SEVERELY SANCTION CO-PLAINTIFF LEAH LAX FOR EGREGIOUS FRAUD
ON THE COURT AND EGREGIOUS DEFAMATION OF CHARACTER OF TAITZ**

Request for sanctions filed by co-plaintiff Leah Lax should be denied as it is based on an egregious fraud on the court. Lax signed the First Amended Complaint, as shown in attached exhibits. Six months after she signed the complaint, when she failed to provide the court with a doctor's note as requested by the court to

substantiate her claim that she was unable to attend the hearing and wishes to withdraw due to medical treatment, Leah Lax made up a new story, a completely fraudulent outrageous allegation, where she claimed that she did not sign the complaint 6 months earlier and that her signature on the complaint was cut and pasted. As the exhibits show that Lax indeed signed the complaint, her motion should be denied and Lax should be sanctioned by the court for fraud on the court.

**BRIEF IN SUPPORT OF AN OPPOSITION TO MOTION BY CO-PLAINTIFF LEAH LAX
AND REQUEST FOR SANCTIONS AGAINST LEAH LAX FOR EGREGIOUS FRAUD ON
THE COURT**

1. Plaintiff Leah Lax personally signed the first amended Complaint in this case. On April 14, 2012, 5:39 PM Leah Lax e-mailed her signature page (p44 of the FAC) with her signature affixed to both Orly Taitz and Brian Fedorka. The e-mail included the wording "here is the signed page. go get him" and an attached signature page from Leah Lax. Attached as Exhibit A is a signature page with a full 17 page heading showing IP identification and showing the aforementioned e-

mail and a full IP tracing and a full electronic ID of the e-mail going from Leah Lax to Orly Taitz and Brian Fedorka.

2. Exhibit 2 shows 21 pages of a chain of e-mails, showing correspondence between the parties in this case between April 13 to April 15. Prior judge on the case, Judge Coleman requested correspondence via e-mail. Exhibit 2 shows an e-mail from Taitz on April 13 and April 14, forwarding the full complaint and exhibits to all parties, including Leah Lax. April 14, 2012, 1:02 PM e-mail states: " Leah, Tom and Laurie, please, sign the Amended Complaint for MS and e-mail your last signed page to me and to Mr. Brian Fedorka in MS" . The same chain of e-mails shows Leah Lax sending an e-mail the same day, only four hours later, at 5:39 PM, showing Leah Lax responding "here is the signed page. Go get him" and a PDF attachment which she named "Obama pdf" showing the signature page with her signature affixed. 2 hours later April 14, 7:02PM Brian Fedorka to Leah Lax, cc Orly Taitz "Received, and thank you". Two hours later Taitz forwarded the e-mail and attachment from Leah Lax to Judge Coleman and cc to all the parties including Leah Lax. It stated "Dear Judge Coleman and counsel

Here is the signature page for the First amended Complaint from a co-plaintiff, Presidential candidate registered with the Federal Elections Commission Leah Lax.

"

3. On November 1st Scott Tepper, attorney for sitting President Barack Obama, sent all plaintiffs a threatening and intimidating e-mail, where he demanded that plaintiffs dismiss their complaint with prejudice, stop "defamation" of defendants and their attorneys, even though there was no defamation and Plaintiffs provided true and correct affidavits from law enforcement and experts showing Obama using forged IDs, and Tepper demanded a payoff of \$25,000 to Obama's attorney Begley, or they will go after Plaintiffs for a multiple of this amount. When Leah Lax got a letter from the attorney for the sitting President of the U.S., she apparently got intimidated.

4. On November 6, 2012 Lax sent to Taitz a number of e-mails, where she stated that she is going to the hospital for treatment and asked Taitz to forward to Judge Wingate her letter, stating that she can't make it to the scheduled November 16th court hearing due to the fact that she is undergoing medical treatment. On November 7, 2012 Taitz received a fax from Lax which was forwarded to the

court. November 6, 2012 chain of e-mails and November 7 fax from Lax are attached as Exhibit 3.

5. During November 16 hearing attorneys for the defense refused at agree to Lax withdrawal from the case and Judge Wingate ordered Lax to provide a doctor's note or sworn affidavit that she indeed was undergoing treatment and unable to attend.

6. Lax failed to provide any note from the doctor confirming that she was sick. Instead, apparently to cover up the fact that she did not provide a note from the doctor, she made up and submitted on 11.30. 2012 an outrageous fraudulent allegation, where she made up a new story and claimed that she never signed the complaint in the first place and accused Taitz of cutting and pasting her signature. Exhibits 1 and 2 herein clearly show that Lax signed the complaint and forwarded her signature page to both Taitz and Fedorka. Moreover, the fact that Lax was a plaintiff in the case for half a year, received correspondence from the court and from the parties, showed that indeed she was a plaintiff and signed the complaint. If Lax would not have signed the complaint, as she claims, she would have advised the court immediately, in April 2012. Previous Judge in the case, State court Judge Coleman ordered all submission to him to be sent via e-mail,

Lax was cc-ed on all the e-mails, she could have easily e-mailed Judge Coleman and she could advise him that she did not want to be a plaintiff. She did not do so.

7. Lax submitted four exhibits, which are either irrelevant to the issues at hand or contradict Lax assertions. Exhibit A, is an e-mail allegedly sent by Lax to Taitz on July 3, 2012. She wishes Taitz happy 4th of July and states that she is undergoing a medical treatment and wants to withdraw from the case. Taitz does not recall seeing this e-mail. However, if Lax indeed sent this e-mail, this actually contradicts Lax assertion that she did not sign the complaint. If Lax did not sign the complaint in the first place, why would she want to withdraw three months later?

8. Exhibit B is completely irrelevant to the case at hand. Exhibit B is simply an acknowledgment from an election official that Lax submitted a request to be a write in candidate on the ballot.

9. Exhibit C and D do not relate to Taitz, but rather relate to an ongoing grievance Lax has with individuals running a web site "Fogbow", where attorney Scott J. Tepper, who is representing President Barack Obama and other defendants, is making defamatory statements under the pseudonym "Sterngard Friegen".

10. The only silver lining in this matter, is the fact that as Taitz printed out all the e-mails from April 13-15, she saw that she cc-ed Deputy Attorney General of

Hawaii, Jill Nagamine on April 13, 2012. This shows that Nagamine had the complaint and all the exhibits as early as April 13, 2012, 10 days before she got the complaint by certified mail, it reinforces the pleadings sent by Taitz earlier, where Taitz advises the court that indeed Nagamine received the complaint in April 2012.

11. Additionally, as Judge Coleman was a retired judge and resided in a different county, not in Jackson, MS, he requested all filing to be sent to him via e-mail. Taitz e-mailed him the First Amended Complaint on April 13, 2012. This negates the assertion by the Defendants that the First Amended complaint was submitted after April 15 deadline and was late. The chain of e-mails in exhibit 2 clearly shows that the presiding judge got the complaint on April 13, two day before the deadline, therefore the complaint was submitted timely.

CONCLUSION:

Based on all of the above, motion by Lax to sanction Taitz should be denied. Instead Lax should be sanctioned for egregious fraud on the court.

Additionally, chain of e-mails submitted in this opposition showed that Plaintiffs filed the First Amended complaint timely and defense assertions that the complaint was untimely should be denied. Additionally forgoing chain of e-mails

shows that Jill Nagamine, Deputy Attorney General of Hawaii representing Defendants Onaka and Fuddy, received the First Amended Complaint and Exhibits on April 13, 2012, which is additional proof of that confirming that attorney for defendants Fuddy and Onaka received the complaint in April 2012.

A handwritten signature in black ink, appearing to read 'Orly Taitz', is positioned above the signature line.

/s/ Orly Taitz, ESQ

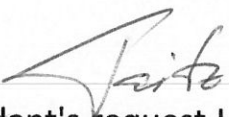
Affidavit of Orly Taitz

I, Orly Taitz, attest under the penalty of perjury that

1. All e-mails and attachment signature page from Co-Plaintiff Leah Lax are true and correct copies of such e-mails and attachment received by me and contained in my e-mail account.
2. E-mail from attorney Scott Tepper is a true and correct copy of the e-mail received from Scott Tepper.
3. 11.07.2012 Fax from co-Plaintiff Leah is a true and correct copy of the fax received by me from Leah Lax

/s/ Orly Taitz

Certificate of Service


I, Orly Taitz, attest that per defendant's request I served all parties in this case, as listed in the distribution list below, with aforementioned pleadings by e-mail on 12.01.2012


/s/ Orly Taitz

Taitz et al v. Democrat Party of Mississippi et al

Assigned to: District Judge Henry T. Wingate

Referred to: Magistrate Judge Linda R. Anderson

Case in other Circuit Court of Hinds County, Ms, 251-
court: 12-00107 CIV

Cause: 18:1962 Racketeering (RICO) Act

Date Filed: 04/24/2012

Jury Demand: None

Nature of Suit: 470 Racketeer/Corrupt
Organization

Jurisdiction: Federal Question

Plaintiff

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V.

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Defendant

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Defendant